

A U S T I N C I T Y C O U N C I L
AGENDA



Thursday, March 01, 2007

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**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 66

Subject: C814-06-0175 - East Avenue PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3400 North IH-35 Service Road (Waller Creek and Boggy Creek Watersheds) from general office-neighborhood plan (GO-NP) combining district zoning, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning; and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning Staff Recommendation To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. Planning Commission Recommendation. To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. Applicant. Concordia University (David Kluth) Agent. Alice Glasco Consulting (Alice Glasco) and Armbrust and Brown, L L P (Richard Suttle) City Staff Jorge E Rousselin, 974-2975.

Additional Backup Material
(click to open)
 Staff_Report

For More Information:

ZONING REVIEW SHEET**CASE:** C814-06-0175**P. C. DATE:** December 14, 2006

January 16, 2007

ADDRESS: 3400 North IH- 35 Service Road

January 30, 2007

February 13, 2007

OWNER: Concordia University (David Kluth)**AGENT:** Alice Glasco Consulting (Alice Glasco), Armbrust and Brown, LLP (Richard Suttle)**REZONING FROM:** GO-NP (General office – neighborhood plan), LO-MU-NP (Limited office-mixed use- neighborhood plan), and CS-MU-NP (Commercial services-mixed use-neighborhood plan)**TO:** PUD-NP (Planned unit development – neighborhood plan) combining district**AREA:** 22.205 Acres**SUMMARY PLANNING COMMISSION RECOMMENDATION:***February 13, 2007:****APPROVED PUD-NP ZONING AS MODIFIED BY PRESENTER, JANA MCCANN;
AND REQUIREMENTS OF THE T.I.A.******[J.REDDY, G.STEGEMAN 2ND] (5-3-1) D.SULLIVAN, S.KIRK, P.CAVAZOS – NAY;
C.RILEY – ABSTAINED*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends the rezoning request from GO-NP, LO-MU-NP, and CS-MU-NP to PUD-NP with conditions. The recommended conditions are as follows:

- 1 Maximum base height of 60 feet,
- 2 Maximum tower height of 120 feet;
- 3 Maximum height of 120 feet,
4. Maximum floor-to-area ratio (FAR) of 2.1,
5. Maximum impervious cover of 85%,
- 6 The following uses shall be prohibited:
 - o Automotive Rentals;
 - o Automotive Repair Services,
 - o Automotive Sales,
 - o Automotive Washing (of any type),
 - o Scrap and Salvage,
 - o Service Station;
 - o Custom Manufacturing,
 - o Pawn Shop Services,
 - o Drive-in services as an accessory to a commercial use,
- 7 Commercial-liquor sales (CS-1) shall be limited to a total of 9,000 square feet within the proposed PUD with a limitation of 3,000 sq. ft per CS-1 use,
8. Implementation of Integrated Pest Management (IPM),
- 9 Implementation of a minimum 2-star rating under the Austin Green Building Program;

- 10 Re-creation of the 2nd Street pedestrian environment addressing pedestrian activity, landscaping, and circulation;
- 11 Compliance with LDC Article 10 – Compatibility Standards;
12. No unbroken wall planes exceeding 160' shall be permitted in the PUD in accordance with [LDC 25-2-721 (E)(4)]. Break of massing along Interstate 35 shall prevent continuous base walls parallel to the interstate,
- 13 Proposed PUD shall meet parking requirements as allowed under the LDC Article 7,
14. Implementation of all Traffic Impact Analysis (TIA) recommendations,
- 15 Implementation of Environmental Board recommendations,
16. Implementation of Environmental Staff recommendations; and
- 17 Approval of waiver from Section 25-2-243 - Proposed District Boundaries must be Contiguous

The Staff recommendation is based on the following considerations

- 1.) The proposed land uses are compatible with existing and proposed commercial development in the area,
- 2) The Future Land Use Map for the Central Austin Combined – Hancock Neighborhood Plan will recommend mixed uses for this site,
- 3) Recommended conditions will yield a superior development vs. traditional rezoning; and
- 4.) All other terms and conditions in of Ordinance No. 040826-59 shall remain in place.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 22 205 acre site fronting Harmon Avenue, East 32nd Street, and Interstate 35 zoned GO-NP, LO-MU-NP, and CS-MU-NP. The site was rezoned as part of the Central Austin Combined Neighborhood Plan by Ordinance No 040826-59 (Please see Attachment A). The plan designates this site for civic uses in accordance with the Future Land Use Plan. A neighborhood plan amendment is in progress and will incorporate a mixed-use designation. The proposed amendment would change the land use designation on the Central Austin Combined Neighborhood Planning Area (CACNPA) for the Concordia University site, 3400 North IH-35, from Civic to a recommended Mixed-Use. The change in designation will allow for the redevelopment of the Concordia University site into a mixed-use development.

A portion of the site was rezoned to from MF-4 to GO under Ordinance No 020404-Z-8 under Ordinance 920820-1 (Please see Attachments B). The applicant seeks to rezone the property to PUD-NP to allow for the redevelopment of the existing Concordia University Campus.

As part of the request, the applicant offers the following:

1. Maximum impervious cover of 85%;
- 2 Implementation of Integrated Pest Management (IPM);
3. Implementation of the City's Integrated Pest Management Program;
- 4 A 2-star rating under the Austin Green Building Program,
- 5 For buildings over two-hundred feet, green roofs will be integrated into the project;
6. Rainwater harvesting,
- 7 Well configured open spaces that are woven into the development through landscaped internal driveways - all designed for the enjoyment of residents, visitors and employees,
- 8 The East Avenue Development will use plants listed under the City of Austin's Grow Green Native and Adapted Plants program for landscaping;
- 9 Re-creation of the 2nd Street pedestrian environment, e.g. with trees every 60 feet;
- 10 Compatibility between buildings and other improvements as reflected by the arrangement, bulk, and form of structures. Additionally, the project will comply with design guidelines.

appropriate to the site, which substantially mimic the city’s design standards. (Please see Attachment C);

11. Base zoning district of GR;
12. All land uses allowed under GR and MF-6 to include.
 - o Administrative Services;
 - o Cocktail Lounge;
 - o College and University Facilities,
 - o Custom Manufacturing;
 - o Food Preparation;
 - o Hospital Services (General),
 - o Hospital Services (Limited),
 - o Liquor Sales;
 - o Outdoor Entertainment,
 - o Park and Recreation Services (General),
 - o Park and Recreation Services (Special), and
 - o Plant Nursery
13. Building setbacks as depicted in the attached land use plan (Please see Attachment D);
14. Maximum height as depicted in “Zones 1-11” in the attached land use plan (Please see Attachment D),
15. Maximum floor to area ratio: 3.25-1,
- 16 Maximum heights as depicted in the attached land use plan (Please see Attachment D), and
- 17 Parking requirements shall conform to urban core reduction requirements

The applicant has also identified the following variances to the Land Development Code:

1. Waiver from Article 10, Compatibility standards applying only to height and setbacks; and
2. Waiver from Section 25-2-243 - Proposed District Boundaries must be Contiguous

The Applicant and the City Staff continue to discuss the details of this proposed PUD

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-------------------------------|--|
| <i>Site</i> | GO-NP, LO-MU-NP, and CS-MU-NP | Concordia University |
| <i>North</i> | CS-MU-NP | Apartments |
| <i>South</i> | GO-MU-NP, CS-NP | St. David’s Hospital |
| <i>East</i> | N/A | Interstate 35 |
| <i>West</i> | MF-4-CO-NP, MF-4-NP,GO-MU-NP | Single Family residences/ Apartments / St David’s Hospital |

NEIGHBORHOOD PLAN:

Central Austin Combined –
Hancock Neighborhood

TIA: Yes (Please see Transportation comments)

WATERSHED: Waller Creek & Boggy Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: N/A

SCENIC ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

25--Eastwoods Association
31--Hancock Neighborhood Assn

141--Cherrywood Neighborhood Assn.
283--North Austin Neighborhood Alliance

493--Dellwood Neighborhood Assn.
 511--Austin Neighborhoods Council
 603--Mueller Neighborhoods Coalition
 689--Upper Boggy Creek Neighborhood
 Planning Team
 700--Keep the Land
 742--Austin Independent School District

754--Central Austin Neighborhoods Planning
 Area Committee
 786--Home Builders Association of Greater
 Austin
 937--Taking Action Inc
 972--PODER People Organized in Defense of
 Earth & Her Resources
 981--Anberly Airport Assn

SCHOOLS:

Austin Independent School District

- Lee Elementary School
- Kealing Middle School
- McCallum High School

RELATED CASES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|-------------|---|---|--|
| C14-02-0014 | MF-4 to GO | 02/26/02: APVD STAFF REC OF GO (7-0) | 04/04/02. APVD GO (6-0), ALL 3 RDGS |
| C14-04-0023 | Central Austin Combined Neighborhood Plan | 04/27/04: APVD STAFF REC W/AMDTs (7-0) | 06/10/04: APVD PC REC (7-0), 1ST RDG 08/05/04 APVD 2ND RDG (6-0) 08/26/04: APVD ALL EXCEPT 2 TRACTS WHICH WERE PP TO 9- 2-04 (CC), (7-0) 09/02/04 APVD (7-0) EXCEPT FOR FLWG PP TRACTS 34, 35, 44 & 80A PP TO 9-30-04, TR 148A PP TO 10-7-04 09/30/04: FOR TR 34, 35, 44 & 80A PP TO 10-21-04 (7-0) 10/21/04: APVD SF-2-CO-NP FOR TR 2104A/2104B; APVD MF-6-CO- NP TR 2104C & 3406 RED RIVER |

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|-------------|------------------------------|---|---------------------------|
| C14-04-0190 | SF-2-CO-NP to SF- 3-CO-NP | <ul style="list-style-type: none"> ▪ 02/22/05: PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05: PP TO 4-12-05 (7-0) ▪ 04/12/05: PP TO 5-10-05 (STAFF), (8-0) | 05/26/05. W/D BY CC (7-0) |

| | | | |
|--------------|--------------------------------|---|--|
| | | <ul style="list-style-type: none"> ▪ 05/10/05 PP TO 5-24-05 (STAFF), (7-0) ▪ 05/24/05 NOT ON AGENDA | |
| C14-04-0191 | SF-2-CO-NP to SF-3-CO-NP | <ul style="list-style-type: none"> ▪ 02/22/05 PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05 PP TO 4-12-05 (7-0) ▪ 04/12/05 PP TO 5-10-05 (STAFF), (8-0) ▪ 05/10/05 PP TO 5-24-05 (STAFF), (7-0) ▪ 05/24/05 NOT ON AGENDA | 05/26/05: W/D BY CC (7-0) |
| C14-04-0192 | SF-2-CO-NP to SF-3-CO-NP | <ul style="list-style-type: none"> ▪ 02/22/05 PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05 PP TO 4-12-05 (7-0) ▪ 04/12/05 PP TO 5-10-05 (STAFF); (8-0) ▪ 05/10/05 PP TO 5-24-05 (STAFF), (7-0) ▪ 05/24/05 NOT ON AGENDA | 05/26/05: W/D BY CC (7-0) |
| C14-04-0193 | SF-2-CO-NP to SF-3-CO-NP | <ul style="list-style-type: none"> ▪ 02/22/05 PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05 PP TO 4-12-05 (7-0) ▪ 04/12/05 PP TO 5-10-05 (STAFF), (8-0) ▪ 05/10/05 PP TO 5-24-05 (STAFF); (7-0) ▪ 05/24/05 NOT ON AGENDA | 05/26/05: W/D BY CC (7-0) |
| C14-04-0194 | SF-2-CO-NP to SF-3-CO-NP | <ul style="list-style-type: none"> ▪ 02/22/05 PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05 PP TO 4-12-05 (7-0) ▪ 04/12/05 PP TO 5-10-05 (STAFF), (8-0) ▪ 05/10/05 PP TO 5-24-05 (STAFF), (7-0) ▪ 05/24/05 NOT ON AGENDA | 05/26/05: W/D BY CC (7-0) |
| C814-06-0075 | GO-NP to PUD-NP | PENDING | PENDING |
| C14-92-0071 | LO and MF-3 to GR-CO | 08/18/92 APVD GR-CO GO USES AND COMMERCIAL OFF-STREET PARKING | 8/20/92: APVD GR-CO ALL 3 READINGS |
| C14-02-0150 | GO to CS | 12/11/02 DENIED CS-CO (5-3-1) | 01/16/03: APVD STAFF ALT REC OF CS-CO (6-0), 1ST RDG, 01/30/03: APVD CS-CO (7-0), 2ND/3RD RDG |
| C14-06-063 | Variance for additional height | 05/08/06 BOA APVD 120' HEIGHT (7-0) | N/A |

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | Daily Traffic | Bicycle Plan |
|-------------------------|--------|----------|-------------------------|---------------|--------------|
| IH-35 | Varies | Varies | Freeway | 251,000 ('04) | No |
| Red River | Varies | Varies | Major arterial | 18,300 ('06) | Priority 1 |
| 38½ Street | 50' | Varies | Two lane minor arterial | 11,000* ('06) | Priority 1 |
| 32 nd Street | 60' | Varies | Collector | 8,100 ('03) | No |
| Dean Keeton Street | 126' | 100' | Arterial | 15,000* ('06) | Priority 1 |
| Luther Lane | 50' | 28' | Local | 1,500* ('06) | No |
| Duncan Lane | 50' | 29' | Local | 700* ('06) | No |
| Keith Lane | 50' | 30' | Local | 700* ('06) | No |
| Concordia Avenue | 50' | 30' | Local | 500* ('06) | No |
| Harmon Avenue | 50' | 30' | Collector | 400* ('06) | No |
| Kim Lane | 50' | 30' | Local | n/a | No |

CITY COUNCIL DATE

February 15, 2007

ACTION:

The public hearing was continued to March 1, 2007 and no action was taken

March 1, 2007

ORDINANCE READINGS: 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us

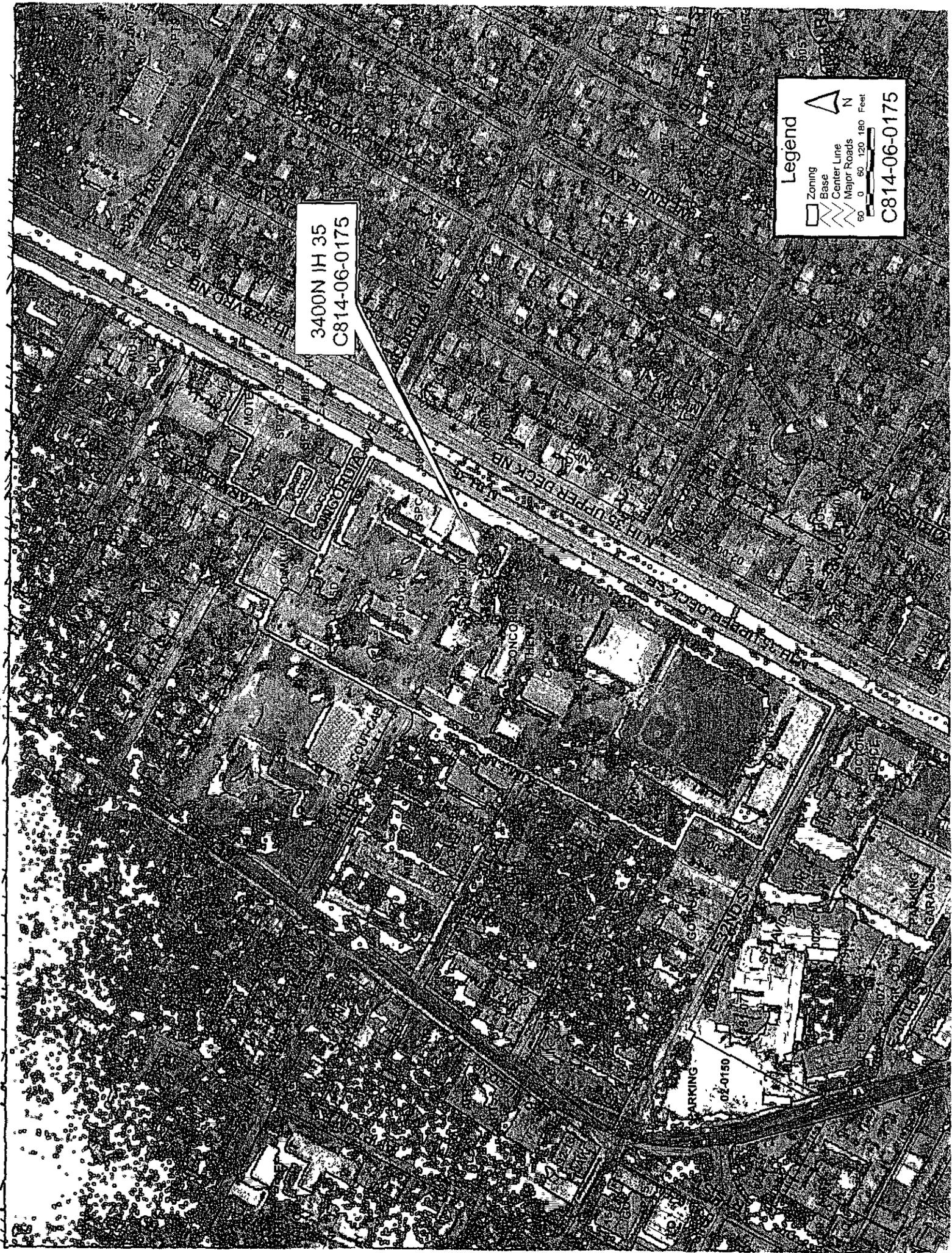
3400N IH 35
C814-06-0175

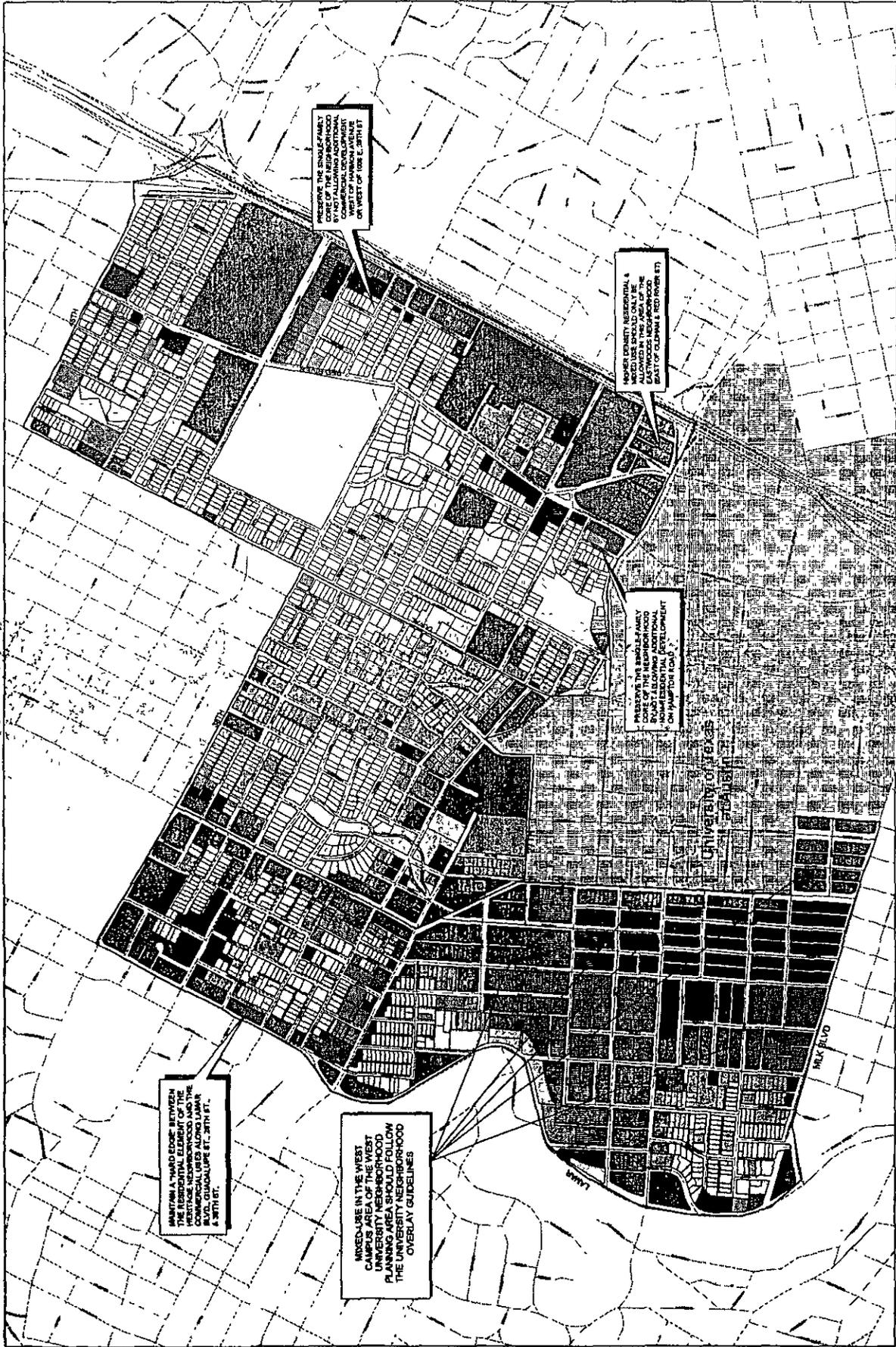
Legend

- Zoning
- Base
- Center Line
- Major Roads

50 0 50 100 150 Feet

C814-06-0175





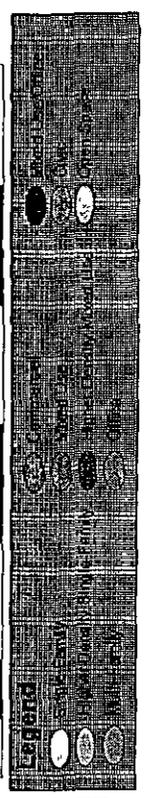
MAINTAIN A "HARD EDGE" BETWEEN THE RESIDENTIAL ELEMENT OF THE UNIVERSITY NEIGHBORHOOD AND COMMERCIAL USES ALONG LAMAR BLVD. GUADALUPE ST., 20TH ST., & 21ST ST.

MIXED-USE IN THE WEST UNIVERSITY NEIGHBORHOOD PLANNING AREA SHOULD FOLLOW THE UNIVERSITY NEIGHBORHOOD OVERLAY GUIDELINES

PRESERVE THE SINGLE-FAMILY CORE OF THE NEIGHBORHOOD BY NOT ALLOWING ADDITIONAL WEST OF HANBORN AVENUE OR WEST OF 108 E. 39TH ST.

RESIDENTIAL NEIGHBORHOODS ALLOWED IN THIS AREA OF THE EASTWOOD NEIGHBORHOOD SHOULD FOLLOW THE OVERLAY GUIDELINES

PRESERVE THE SINGLE-FAMILY CORE OF THE NEIGHBORHOOD BY NOT ALLOWING ADDITIONAL HIGH-DENSITY DEVELOPMENT ON PARSONS ROAD

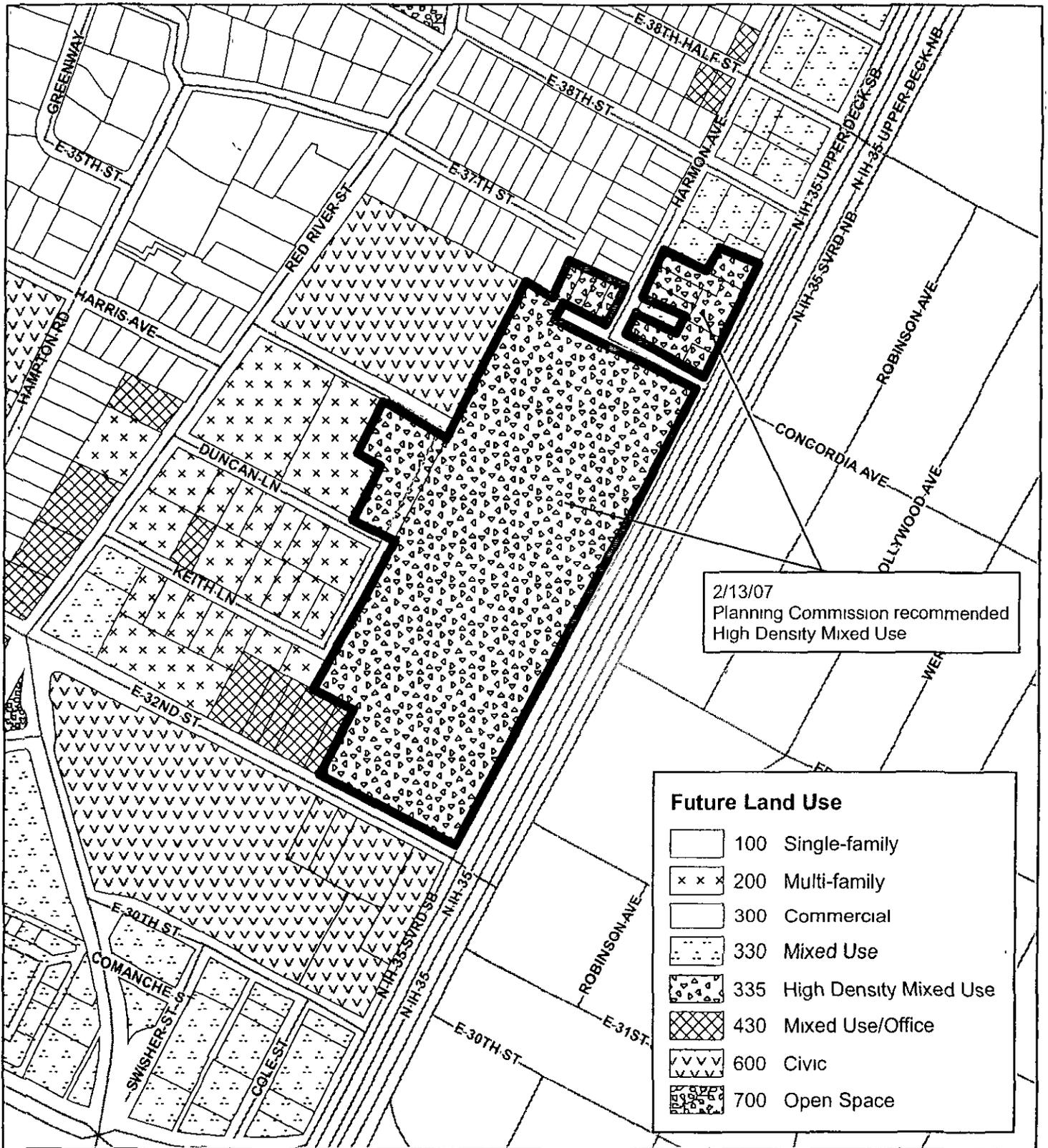


**Central Austin Combined Neighborhood Planning Area:
Future Land Use Map As Amended on 5/19/05**

City of Austin
Neighborhood Planning and
Zoning Department
Revised July 29, 2005



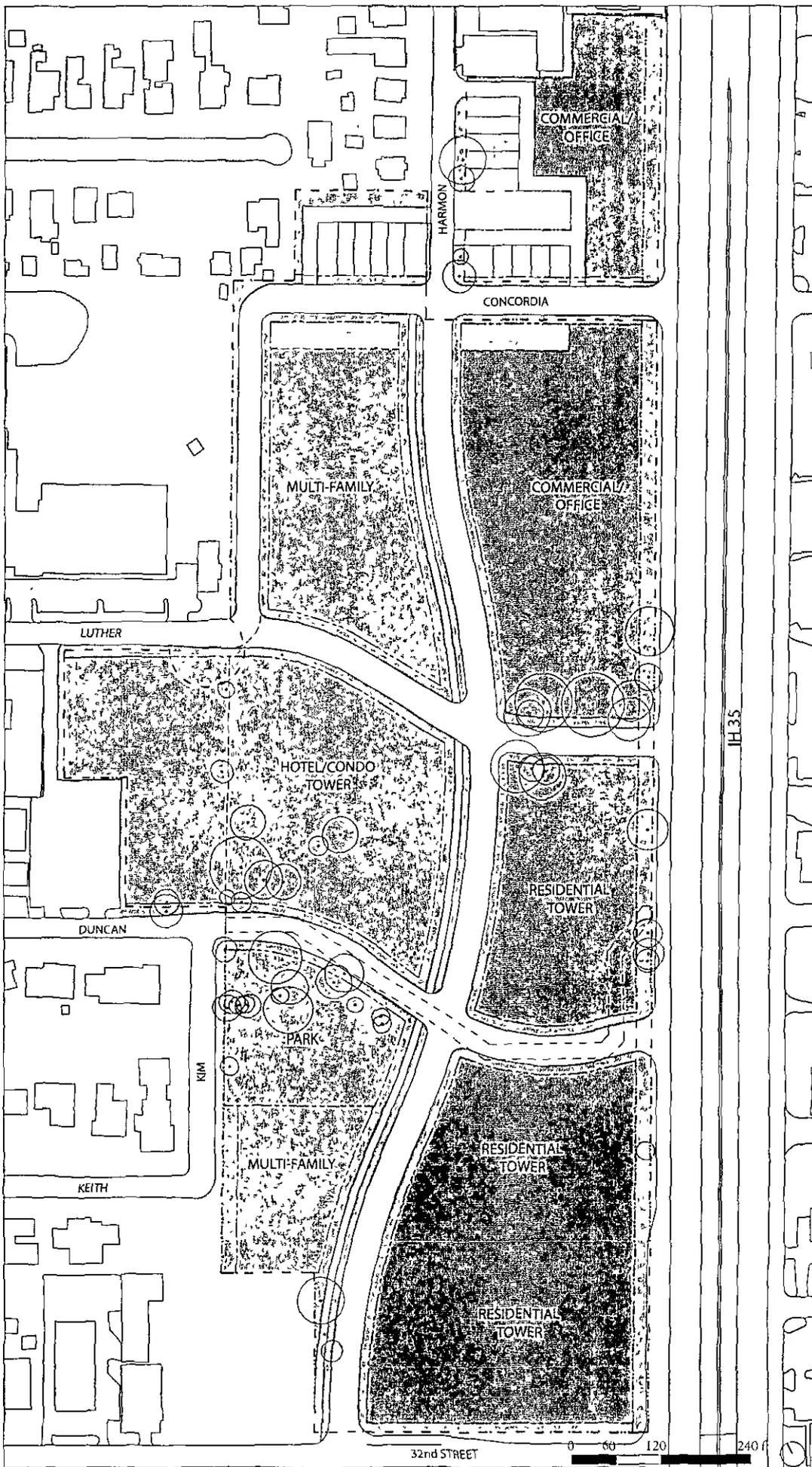
A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries



NPA-06-0019.01
 East Avenue PUD
 3400 N IH-35 SVRD
 Proposed FLUM
 City Council Hearing 3-1-07



Created by NPZD
 2/22/07



EAST AVENUE PUD CONCEPTUAL INTERNAL DRIVE AND BLOCK PLAN
 Prepared for Hancock Neighborhood Association and East Avenue IG by ROMA Design Group
 February 13, 2007

Proposed East Avenue PUD Terms

1. Defined Street/Drive Network Plan
2. Block/Parcel Plan with Principal Uses Defined per Parcel
3. Defined Heights, Setbacks & Stepbacks Tailored per Parcel to Ensure Neighborhood Compatibility
4. Design Standards & Mixed Use Ordinance
5. Great Streets Streetscape Standards with Cross-Sections
6. Off-Street Hike & Bike Greenway
7. Affordable Living – Car Share for 5% Units @ 80% MFI
8. Open/Green Space and Tree Preservation
9. Sustainable Environmental Site & Building Design
10. Urban Core Parking Standards
11. All Offsite TIA- Recommended Roadway Improvements

- 1 Internal Drives will create a grid-like circulation system, that will break down site into well-scaled parcels
- 2 Blocks complying with the recently-adopted Commercial Design Standards will be delineated
3. Height Zones within Parcels will be established, including approximate locations and footprints of proposed four towers
- 4 Compliance, but even further tailoring to site is desired
- 5 Design the streetscape cross-sections, so they are specific to the site, rather than left general
- 6 Providing a Class One bike/ped path with double row of trees on west side of north-south retail spine
- 7 Austin Car Share Program
8. Developer committed to providing the following
 - 2 acres of pervious green space at ground level
 - One acre of green roofs across site
 - Use of pervious concrete at site
 - To max extent possible, preserve every Class 1 tree over 19" (31 trees) in their current locations
 - One acre of additional open space on ground (such as streetscapes, hike & bike path
 - Will meet/exceed stormwater quality requirements, using combination innovative stormwater management, including bio-swales, rainwater collection, to be approved/monitored by City Environmental staff

STAFF RECOMMENDATION

Staff recommends the rezoning request from GO-NP, LO-MU-NP, and CS-MU-NP to PUD-NP with conditions. The recommended conditions are as follows.

1. Maximum base height of 60 feet,
2. Maximum tower height of 120 feet,
3. Maximum height of 120 feet,
4. Maximum floor-to-area ratio (FAR) of 2:1,
5. Maximum impervious cover of 85%;
6. The following uses shall be prohibited.
 - o Automotive Rentals;
 - o Automotive Repair Services;
 - o Automotive Sales,
 - o Automotive Washing (of any type);
 - o Scrap and Salvage;
 - o Service Station;
 - o Custom Manufacturing,
 - o Pawn Shop Services,
 - o Drive-in services as an accessory to a commercial use,
7. Commercial-liquor sales (CS-1) shall be limited to a total of 9,000 square feet within the proposed PUD with a limitation of 3,000 sq. ft. per CS-1 use,
8. Implementation of Integrated Pest Management (IPM),
9. Implementation of a minimum 2-star rating under the Austin Green Building Program,
10. Re-creation of the 2nd Street pedestrian environment addressing pedestrian activity, landscaping, and circulation,
11. Compliance with LDC Article 10 – Compatibility Standards,
12. No unbroken wall planes exceeding 160' shall be permitted in the PUD in accordance with [LDC 25-2-721 (E)(4)]. Break of massing along Interstate 35 shall prevent continuous base walls parallel to the interstate,
13. Proposed PUD shall meet parking requirements as allowed under the LDC Article 7,
14. Implementation of all Traffic Impact Analysis (TIA) recommendations;
15. Implementation of Environmental Board recommendations,
16. Implementation of Environmental Staff recommendations; and
17. Approval of waiver from Section 25-2-243 - Proposed District Boundaries must be Contiguous

The Staff recommendation is based on the following considerations

- 1) The proposed land uses are compatible with existing and proposed commercial development in the area,
- 2) The Future Land Use Map for the Central Austin Combined – Hancock Neighborhood Plan will recommend mixed uses for this site,
- 3) Recommended conditions will yield a superior development vs traditional rezoning, and
- 4) All other terms and conditions in of Ordinance No 040826-59 shall remain in place.

BASIS FOR RECOMMENDATION

1. *The Planned Unit Development District (PUD) is intended for large or complex developments under unified control planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provide greater flexibility for development proposed within the PUD.*

The proposed PUD does provide benefits that could not be accomplished through standard zoning. The staff supports an alternative maximum height to the requested height to provide for a transition to the

established neighborhood while maintaining the integrity and character of the residences. Waivers of compatibility standards are not recommended as it may infringe on the surrounding residential uses.

- 2. Use of a PUD District should result in development superior to that which would occur using conventional zoning and subdivision regulations. PUD zoning is appropriate if the PUD enhances preservation of the natural environment; encourages high quality development and innovative design; and ensures adequate public facilities and services for development with in the PUD.**

The Staff has determined that with the recommended conditions, the proposed PUD will result in a superior development than that which could have occurred using conventional zoning. In this application, the applicant is requesting additional height, inclusion of compatible land uses, and inclusion of design standards that demonstrate an improvement to the PUD that will result in superior development of the site.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of a 22.205 acre site fronting Harmon Avenue, East 32nd Street, and Interstate 35 zoned GO-NP, LO-MU-NP, and CS-MU-NP. The site was rezoned as part of the Central Austin Combined Neighborhood Plan by Ordinance No. 040826-59 (Please see Attachment A). The plan designates this site for civic uses in accordance with the Future Land Use Plan. A neighborhood plan amendment is in progress and will incorporate a mixed-use designation. The proposed amendment would change the land use designation on the Central Austin Combined Neighborhood Planning Area (CACNPA) for the Concordia University site, 3400 North IH-35, from Civic to a recommended Mixed-Use. The change in designation will allow for the redevelopment of the Concordia University site into a mixed-use development.

Portions of the site were rezoned to from MF-4 to GO under Ordinance No. 020404-Z-8 which included a restrictive covenant and to GR-CO-NP under Ordinance 920820-I (Please see Attachments B). The applicant seeks to rezone the property to PUD-NP to allow for the redevelopment of the existing Concordia University Campus.

Industrial Waste - MICHAEL NEBERMAN 972-1060

8/18/06

IW 1 No Comment

WWW - PAUL URBANEK 974-3017

Description

WW 1. The site is currently served with City of Austin water and wastewater utilizes. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility adjustments, or

utility relocation are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the City inspection fee with the utility construction and all other associated and applicable City fees.

WW 2. If an onsite or offsite easement is necessary for City water or wastewater service, the subject landowner, at own expense, will be responsible for providing. The easement must be for a location defined and approved by the Austin Water Utility and the easement dedication must be in a form acceptable by the City.

Electric - DAVID LAMBERT 322-6109

REJECTED

EL 1. A fifteen foot building setback is required along East 32nd Street and the north side of Concordia Avenue to ensure adequate safety clearances between the existing overhead electric lines and any future building.

EL 2. For information. Any relocation of existing electric facilities shall be at landowner's/developer's expense.

Transportation - JOE ALMAZAN 974-2674

TR 1. A traffic impact analysis is required and has been received. *Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC, Sec 25-6-142]. Comments will be provided in a separate memo.*

TR 2. The PUD land use plan proposes a CBD parking reduction of 65% on site parking. For information. Within the CBD and DMU districts, the minimum number of parking spaces is 20% and the maximum number is 60% of the number of spaces otherwise required. LDC, 25-6-591. Allowable parking may be increased without limit if all parking is contained within a parking structure or the excess parking is approved by the Land Use Commission based on the criteria in Section 25-6-501(D).

- a.) *Any parking reduction should be documented by more detailed information such as a shared parking analysis using the methodology established by the Urban Land Institute or upon other methodologies considered appropriate for this type of mixed-use development. Other design considerations include pedestrian links between the development and shared parking areas using special attention to sidewalk design, access across internal drives and streets and access with parking garages, use of public transportation; bike planning, or other strategies such as valet parking between hotel and restaurant use or hours of operation based on land uses with different operating hours.*
- b.) *If enclosed parking garages are proposed, it is recommended that pedestrian oriented uses (as defined in LDC, 25-2-691) will be provided at the ground level for separation from the adjacent street.*

TR 3 For information: In the CBD and DMU Districts, residential uses are required to provide at least **60%** of the number of parking spaces otherwise required by Sec 25-6-472, Appendix A LDC, 25-6-591(A)(4).

TR 4 Please specify whether phasing of the development is proposed *Phasing of the development and the manner in which each phase can exist as a stable independent unit should be shown based on required/provided parking, impervious cover and zoning, landscaping, drainage facilities, water quality, and other data as requested*

TR 5. Please specify whether public or private streets are proposed with the development *The location of collector and arterial roadways proposed within the PUD must be shown, including right-of-way widths, the location of access points to abutting streets and roadways*

Public Works - Signalization Division - Brian W. Craig 457-4880

PW 1 Traffic Counts were taken when school was closed and/or in finals or in summer session Given the proximity to UT and Concordia, this is not an acceptable method of collecting traffic data

PW 2. I am not sure that traffic patterns around a University adheres to general rule of thumb that peak volume is ten percent of the 24 hour volume

PW 3. Why are apartment trip rates and residential condo rates shown in square footage and not by units

PW 4 What about geometric improvements? IH 35 & 38th ½ Street SB right turn lane

PW 5 Red River & 38th ½ will require some type of geometric improvement to alleviate the extra traffic at this intersection. NB / SB left would help the level of service.

PW 6 Increase cross -section on side streets to include two approach lanes and one departure lane. Ie. Keith Lane, Duncan Lane, Luther Lane,

PW 7. Add EB LT at 32nd & Driveway C

PW 8. Too many WB lefts added to 38 ½ St without a left turn bay. Add a left turn bay

Fire Review - RON BUYS 974-0183

INFORMAL UPDATE OK 8/30/06

FR 1. NEED FIRE FLOW REQUIRED FOR BUILDING OR BUILDINGS PROPOSED PER 2003 IFC TABLE B105.4

FR 2. NEED FIRE HYDRANT TESTS TO VERIFY THAT THE FIRE FLOW REQUIRED FOR BUILDING(S) IS AVAILABLE.

FR 3. NEED FIRE HYDRANTS LOCATED ONE WITHIN 400' AND SECOND WITHIN 500' OF ALL POINTS ON BUILDING(S) EXTERIOR NOTE THERE ARE LOCATIONS ON THIS SITE THAT DO NOT CURRENTLY MEET THIS REQUIREMENT

FR 4. NEED FIRE APPARATUS ACCESS SO WITHIN 150' OF UNSPRINKLERED OR 200' OF FIRE SPRINKLERED BUILDING EXTERIOR PERIMETER (ALL POINTS ON BUILDING). NOTE:THERE ARE LOCATIONS ON THIS SITE THAT DO NOT CURRENTLY MEET THIS REQUIREMENT.

Water Quality - KEVIN SELFRIDGE 974-2706

August 23, 2006

Acceptance or approval of this application does not constitute a verification of all data, information and calculations supplied by the applicant The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not the application is reviewed for Code compliance by City engineers.

The proposed P U D development is located in the Waller Creek and Boggy Creek watersheds, an urban water shed and a suburban watershed respectively. The project is not located in the Edward's Aquifer Recharge or Contributing Zone

WQ 1. Except for the proposed variances and/or waivers, it is this reviewer's understanding the proposed P.U.D. ordinance will provide on-site detention and water quality per current code. Please address this in the proposed P U D ordinance and exhibits Thanks

WQ 2. FYI Based upon the size of this proposed P U D. and the proposed density, it is unlikely that participation in the City's fee-in-lieu program for water quality in urban watershed will be available.

Site Plan - LYNDIA COURTNEY 974-2810

SP 1 Please show proposed and prohibited uses in specified areas on the Land Use plan. The site plan cannot control uses specified as permitted by the zoning PUD plan unless compatibility applies to the project, and some uses which are normally permitted in IP, LI, CS, CS-1 may be very incompatible to surrounding neighborhoods. Limitation of uses needs to be specified at the time of zoning land use plan

SP 2 The maximum impervious coverage proposed of 95% would not permit the 4.59 acres of parks and open space. Impervious cover should be limited to 80% overall if 4 out of 22 acres are proposed to be left open. The conformance with goal # 6 specified in the project report specified that existing open space, parks and the natural environment should be enhanced and preserved

SP 3 Show the locations of open space locations

SP 4 What are elevation overruns?

SP 5 Site plan review cannot support a blanket waiver of compatibility standards of height and setback, as it sets a bad and dangerous precedent for future PUD proposals. PUD proposals are grand schemes intended to incorporate more intense uses or development in certain areas with the improved designs that are supposed to be better than a design done without those modifications.

| |
|---|
| Zoning/Land Use - JORGE E. ROUSSELIN 974-2975 |
|---|

ZN 1 The Staff recommends all permitted and conditional uses under GR-MU with MF-6 development standards. The following land uses shall be prohibited in the GR district.

- | | |
|------------------------------------|---|
| • Automotive Rentals | • Custom Manufacturing |
| • Automotive Repair Services | • Pawn Shop Services |
| • Automotive Sales | • Drive-in services as an accessory to a commercial use |
| • Automotive Washing (of any type) | |
| • Scrap and Salvage | |
| • Service Station | |

ZN 2 Commercial-liquor sales (CS-1) shall be limited to a total of 9,000 square feet within the proposed PUD with a limitation of 3,000 sq. ft. per CS-1 use

ZN 3 No unbroken wall planes exceeding 160' shall be permitted in the PUD in accordance with [LDC 25-2-721 (E)(4)]

ZN 4 Complete waiver of compatibility standards under Article 10 of the LDC in not recommended. Please clarify specific compatibility waivers sought.

ZN 5 Please explain 2nd Street pedestrian environment how and where is the private road concept going to be incorporated into the proposed PUD? Will it connect to existing roadways?

ZN 6 On land use plan, please identify open space areas and clarify if such areas are for public use. Please coordinate with Parks and Recreation Department on dedication of park land.

ZN 7. Please clarify building coverage on all parcels vs. the total impervious cover and state the amount of impervious cover reduction proposed.

ZN 8. Please provide a list of all of the transportation variances to the Land Development Code requirements that the applicant will be requesting in this PUD zoning application.

ZN 9 Please provide a list of all of the environmental variances to the Land Development Code requirements that the applicant will be requesting in this PUD zoning application.

ZN 10 On land use plan, please identify all proposed Capital Metro stops. Is land being dedicated for Capital Metro transit facilities?

ZN 11 Please coordinate with Transportation on all parking requirements.

- ZN 12 In the absence of design standards to address maximum height and building massing, the Staff recommends a maximum height of 90 feet for all structures within the proposed PUD.
- ZN 13 Please clarify if there is to be a connection of Luther Lane to proposed PUD.
- ZN 14 Please explain the removal of street patterns from the PUD land use plan
- ZN 15. On land use plan, please identify open space areas and clarify if such areas are for public use. On the Development Assessment, park areas were depicted on the land plan. Please clarify the park areas on the zoning submittal. Please coordinate with Parks and Recreation Department on dedication of park land.
- ZN 16 Please clarify if there is to be a connection of Luther Lane to proposed PUD. The land plan depicts a connection. Please address.
- ZN 17. Please define and provide standards for “village-style cluster” as proposed in the Retail Village component



Date February 7, 2007
To Jorge Rousselín, Case Manager
CC Kathy Hornaday, P E WHM Transportation Engineering
Alice Glasco, Alice Glasco Consulting
Andy Sarwal
Reference East Avenue PUD, C814-06-0175

The Transportation Review Section has reviewed the Traffic Impact Analysis for East Avenue PUD, dated August 2006, prepared by Kathy Hornaday, P E , WHM Transportation Engineering, and offers the following comments

TRIP GENERATION

East Avenue PUD is a 22 205-acre development located in central Austin at the northwest corner of IH-35 and 32nd Street

The property is currently developed with Concordia University and zoned General Office – Neighborhood Plan (GO-NP), Limited Office – Mixed Use – Neighborhood Plan (LO-NP) and Commercial Services – Mixed Use – Neighborhood Plan (CS-MU-NP) The applicant has requested a zoning change to Planned Unit Development (PUD) The estimated completion of the project is expected in the year 2011

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 32,679 unadjusted average daily trips (ADT)

The table below shows the adjusted trip generation by land use for the proposed development

| LAND USE | Size | ADT | AM Peak | PM Peak |
|-----------------------------------|---------------|---------------|----------------|----------------|
| Shopping Center | 300,000sf | 10,361 | 273 | 768 |
| Apartments | 794du | 4,430 | 355 | 409 |
| Residential Condominiums | 475du | 2,172 | 162 | 195 |
| General Office | 59,000sf | 800 | 111 | 80 |
| Medical-Dental Office | 250,000sf | 8,130 | 558 | 664 |
| Hotel | 250 rooms | 2,230 | 168 | 175 |
| Bowling Alley | 5,000sf | 150 | 13 | 16 |
| Movie Theatre w/o matinee | 28,000sf | 1,967 | 0 | 155 |
| Subtotal | | 30,240 | 1,640 | 2,462 |
| Existing University to be removed | 1,162students | 3,031 | 175 | 346 |
| Total New Trips | | 27,209 | 1,465 | 2,116 |

ASSUMPTIONS

1 Traffic growth rates provided by TXDOT were as follows

| Roadway Segment | % |
|-----------------|----|
| All Roads | 2% |

2 In addition to these growth rates, background traffic volumes for 2006 included estimated traffic volumes for the following projects

- SP-01-0466C River City Lofts
- SP-01-0511CS Jade Catering
- SP-04-0336D Paragon Condos
- C814-06-0068 St David's PUD

3 Reductions were taken for pass-by for the following uses

| Land Use | AM | PM |
|-----------------|----|-----|
| Shopping Center | 0% | 34% |

- 4 A 10% reduction was taken for internal capture for the entire site with the exception of the hotel use
- 5 No transit reductions were taken for this project however this area is serviced by Capital Metro and the UT Shuttle service

EXISTING AND PLANNED ROADWAYS

| Name | ROW | Pavement | Classification | Daily Traffic | Bicycle Plan | AMATP Planned Improvements |
|-------------------------|--------|----------|-------------------------|---------------|--------------|--|
| IH-35 | Varies | Varies | Freeway | 251,000 ('04) | No | Include high occupancy vehicle (HOV) lanes |
| Red River | Varies | Varies | Major arterial | 18,300 ('06) | Priority 1 | n/a |
| 38½ Street | 50' | Varies | Two lane minor arterial | 11,000* ('06) | Priority 1 | n/a |
| 32 nd Street | 60' | Varies | Collector | 8,100 ('03) | No | n/a |
| Dean Keeton Street | 126' | 100' | Arterial | 15,000* ('06) | Priority 1 | Upgrade to a six lane divided major arterial |
| Luther Lane | 50' | 28' | Local | 1,500* ('06) | No | n/a |
| Duncan Lane | 50' | 29' | Local | 700* ('06) | No | n/a |
| Keith Lane | 50' | 30' | Local | 700* ('06) | No | n/a |
| Concordia Avenue | 50' | 30' | Local | 500* ('06) | No | n/a |
| Harmon Avenue | 50' | 30' | Collector | 400* ('06) | No | n/a |
| Kim Lane | 50' | 30' | Local | n/a | No | n/a |

*estimated

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 18 intersections, 6 of which are or will be signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built.

Table 4. Level of Service

| Intersection | 2006 Existing | | 2011 Site + Forecasted | |
|--|---------------|----|------------------------|----|
| | AM | PM | AM | PM |
| IH-35 and 38½ Street* | C | D | D | F |
| IH-35 and 32 nd Street* | C | C | D | E |
| Red River and Dean Keeton* | C | D | C | D |
| Red River and 32 nd Street* | C | C | D | D |
| Red River and 38½ Street* | C | E | C | D |
| IH-35 and Concordia Avenue | A | A | A | A |
| Red River and Keith Lane | A | A | A | A |
| Red River and Duncan Lane | A | A | A | B |
| Red River and Luther Lane | A | A | A | A |
| Harmon Avenue and 38 ½ Street | A | A | A | D |
| IH-35 and Driveway A | | | A | A |
| IH-35 and Driveway B | | | A | A |
| Driveway C/St. David's Driveway and 32 nd Street* | | | A | B |
| Kim Lane and Driveway D | | | A | A |
| Kim Lane and Driveway E | | | A | A |
| Kim Lane and Driveway F/Duncan Lane | | | | |
| Driveway G and Duncan Lane | | | A | A |

* = SIGNALIZED

CAPACITY ANALYSIS

A capacity analysis was done for Keith Lane, Luther Lane, Duncan Lane and Kim Lane in order to determine their ability to carry additional traffic from this site to Red River. The capacity analysis revealed that each of these roadways would function at a level of service "A" after the site is constructed.

RECOMMENDATIONS and CONCLUSIONS:

- 1) Prior to approval of the 1st site plan on any portion of the PUD, the developer's full fiscal requirement must be posted for the following improvements

| Intersection | Improvements* |
|------------------------------------|-----------------------|
| IH-35 and 38½ Street* | SB Right Turn Lane*** |
| IH-35 and 32 nd Street* | SB Right Turn Lane |
| | Restripe EB Approach |
| Red River and 38½ Street* | NB Left Turn Lane |

| | |
|---|--|
| | SB Left Turn Lane |
| IH-35 and Concordia Avenue | Striping on ^c Concordia Avenue |
| Red River and Keith Lane | Additional WB Lane |
| Red River and Duncan Lane | Additional WB Lane |
| Red River and Luther Lane | Additional WB Lane |
| Driveway C/St David's Driveway and 32 nd Street* | Traffic Signal** |
| | WB Right Turn Lane |
| | EB Left Turn Lane |

*Cost Estimates are required to be submitted at the time of site plan

** A signal will only be installed as determined by DPWT when warrants are met

***Cost estimate will be required to include estimates for pole relocation and any additional right-of-way that may be needed

2) In order to promote alternative modes of transportation in and around the site the following are required at the time of subdivision and/or site plan

- a) All internal roads/driveways shall have a 15 foot wide curb lane (WC15) as described by the City of Austin Bicycle Plan
- b) Sidewalks are required along all main corridors within the development to minimum City specifications of roadways

At the time of site plan the following opportunities should be evaluated in coordination with the Bicycle and Pedestrian Program of Public Works

- c) Participation in sidewalks improvements either by construction or fiscal participation along any portion of the existing Keith and Duncan Streets in order to provide better pedestrian access to and from Red River
- d) Participation in the installation of bicycle lanes on Red River from 32nd to 38th Street

3) TXDOT has approved this TIA

4) Final approval from DPWT ~ Signals is required prior to 1st Reading

5) Two copies of the TIA are required to be submitted prior to 3rd Reading

6) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics

If you have any questions or require additional information, please contact me at 974-2788



Emily M. Barron
Sr Planner ~ Transportation Review Staff
Watershed Protection and Development Review



AUSTIN DESIGN COMMISSION

ELIZABETH MCKINNEY
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VICE CHAIR
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JOAN HYDE
HOLLY KINCANNON
PERRY LORENZ
PHILLIP REFD
RICHARD WEISS
JEANNIE WIGINTON

February 13, 2007

Mayor Will Wynn
Council Member Sheryl Cole
Council Member Betty Dunkerley
Council Member Jennifer Kim
Council Member Lee Leffingwell
Council Member Brewster McCracken
Council Member Mike Martinez

Re: East Avenue PUD (aka: Concordia Site)

GEORGE ADAMS
STAFF LIAISON

Dear Mayor and Members of the City Council,

Members of the East Avenue PUD development team, including Andy Sarwal, Larry Speck and Alice Glasco, recently presented their proposed PUD to the Design Commission on January 22, 2007 in advance of their hearing at council, and a Design Commission subcommittee also met with the developers and representatives of the adjacent neighborhoods in a separate meeting, all to prepare the Design Commission to make a recommendation to Council regarding the PUD.

The Commission is generally very supportive of the concept of dense nodal urban developments interconnected by transit, and recognizes that these nodes will have different parameters than those in downtown. Height, massing, and F.A.R. need to respond to its particular environment. The Concordia site is an ideal node due to its proximity to IH35, the University of Texas and other employment centers. Here however, connections other than roadways do not currently exist. We support the developers' intention to encourage UT and Capitol Metro to connect the PUD through bus routes, but further attention regarding impact on the roadway network and transit connections should be given by all parties. This development should be regarded as a major Transit Oriented Development, and a destination of future streetcar and commuter rail.

Additionally, the PUD as presented is lacking the kind of detailed information upon which substantive recommendations and agreements can be made. This lack of information, coupled with frequent changes in the locations of the height zones, result in conflict and confusion in the approval process. While current PUD application requirements may have been met, urban infill proposals such as this one may require greater information and detail, and this should be considered by council in the future.

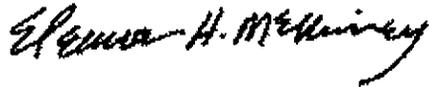
The Commission agrees with the recommendations of staff regarding permitted uses, but offers these separate additional comments:

1. Some assurance should be made that the internal street system and parks will be public places and not restricted to the exclusive use of the internal residents.

2. Connections to the existing streets to the west and north should be made which would help integrate the new development into the fabric of the city. At the least, Kim Lane should be connected to the primary interior street with a two way street adjacent to the planned park. The vehicular connection should be park-like in character. Strong pedestrian and bicycle connections should be made between the PUD and Luther Lane and between the PUD and Harmon Avenue.
3. Some significant element of affordable housing over and above the ordinance minimum should be incorporated into the plan beyond the proposed car share program.
4. The Design Commission encourages planning that utilizes height to achieve a higher F.A.R. without the need for height in zones nearer existing neighborhoods.
5. The towers should sit upon a base form which is significantly shorter than the towers, and which defines a street wall not exceeding 60 feet.
6. Mid-rise buildings should be located adjacent to the internal streets and the neighborhood in order to provide transitions and buffering.

The Design Commission commends the communication between the neighborhoods most affected by the development and the developer, and encourages a solution that can meet both the quality of life goals of the neighborhood and the development goals of the applicant.

Sincerely,



Eleanor McKinney, Chair
Austin Design Commission

Cc:
Laura Huffman, Assistant City Manager
Greg Guertsey, Director, Neighborhood Planning and Zoning
Austin Planning Commission



ENVIRONMENTAL BOARD MOTION 120606-B3

Date. December 06, 2006

Subject East Avenue Planned Unit Development

Motioned By Julie Jenkins

Seconded By William Curra, P E

Recommendation

The Environmental Board is supportive of the environmental enhancements proposed, but does not have a **recommendation** on the proposed P U D zoning at this time.

Rationale

Many of the proposed Environmental improvements are tied to site development plans. With lack of definitive plans for the East Avenue Planned Unit Development, it is inadvisable to recommend any environmental treatments proposed.

Vote: 9-0-0-0

For: Dave Anderson, Karin Ascot, Phil Moncada, William Curra, Dr. Mary G. Maxwell, Rodney Ahart, Julie Jenkins, John Dupnik, and Jon Beall

Against: None.

Abstain: None.

Absent:

Approved By:

Dave Anderson P.E., CFM
Environmental Board Chair



MEMORANDUM

TO: David Sullivan, Chairman
Members of the Planning Commission

FROM: Betty Lambright, Environmental Review Specialist Sr.
Watershed Protection and Development Review Department

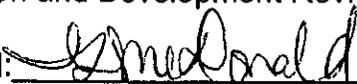
DATE: January 11, 2007

SUBJECT: East Avenue Planned Unit Development/C814-06-0175
3400 N. IH 35 Service Road

As previously stated in my 12/06/06 memo concerning this project, WPDR staff is pleased to see the proposed Sustainable Technologies offered by the applicant. During the courtesy presentation to the Environmental Board, it was suggested that the applicant provide some quantification of the technologies. Since then, staff and the applicant have agreed to the environmental enhancements outlined in the January 8, 2007 letter signed by Mr. Andy Sarwal. These quantified conditions are now enforceable and therefore provide WPDR a level of assurance that they will be implemented. In addition, the applicant is continuing to work with staff to provide additional quantifiable benefits.

WPDR staff supports the zoning application, and requests that the commitments from the 1/8/07 letter be incorporated into the PUD document. If you have any questions or need additional information, please feel free to contact me at 974-2696.

Betty Lambright, Environmental Review Specialist Sr.
Watershed Protection and Development Review

Environmental Lead: 
Ingrid McDonald



8 January 2007

Betty Lambright
Watershed Protection and Development
Review Dept.
Land Use Review
505 Barton Springs Road
Austin, Texas 78704

Re: Concordia University Redevelopment—East Avenue

Dear Betty:

Concordia University current campus falls within the city's urban core and currently occupies a 22-acre site off of IH-35. It has out-grown the space and plans to relocate by the middle of 2008. Once Concordia relocates from its downtown campus, the site will be redeveloped with a vibrant mix of pedestrian-friendly uses. This new, urban-infill project takes its name from East Avenue, the original name of the North-South avenue now occupied by Interstate Highway 35 that is adjacent to the property.

East Avenue's design paradigm of a walkable urban village will be achieved through a carefully designed, mixed-use collection of stores, restaurants, housing, and office space connected by "great driveways." Assuming that PUD zoning is granted by the City of Austin, and assuming the zoning as currently requested is granted, East Avenue commits to have and integrate the following:

- At least two (2) acres of pervious green space at the surface level (including .98 acres located on the western part of the site as indicated in the land use plan);
- At least one (1) acre of green roofs across the site;
- The use of pervious concrete at the site (with a cap of 5% for purposes of calculating pervious cover);
- Every Class 1 tree over 19 caliper inches that exists on the site shall be preserved (approximately 31 trees). East Avenue shall make every attempt to move as few trees as possible and preserve such trees in their current location;
- At least one acre of additional open space on the ground (as defined by the Open Space section of the City of Austin Code (Section 25-2-514 Open Space Standards))—could include sidewalks, etc;

- East Avenue will work with City Staff to develop a monitoring program that will assess the performance of all innovative technologies used as part of the project; and
- East Avenue will meet or exceed stormwater quality and quantity specifications using either conventional treatment measures or some or all of the following measures: bioinfiltration swales and ponds, wet ponds, and/or sand filters, or another measure agreed to by the City and East Avenue.

I hope this information is helpful. Please let me know if you have any questions or additional thoughts. Thank you.

Sincerely yours,



Andy Sarwal
East Avenue IG, LP

cc: Jorge Rousselin

ORDINANCE NO. 040826-59

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 541.38 ACRES OF LAND GENERALLY KNOWN AS THE HANCOCK NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 184 TRACTS OF LAND.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 184 tracts of land within the property described in Zoning Case No.C14-04-0023, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 541.38 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance; Save and Except the following tracts, (the "Property")

Tract 563A 4427 and 4429 Duval Street; and

Tract 2104A 3403, 3405, and 3407 Hampton Rd., and
3406 Red River Street,

generally known as the Hancock neighborhood plan combining district, locally known as the area bounded by Duval Street on the west, 45th Street on the north, IH-35 on the east, and Dean Keeton Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

PART 2. The base zoning districts for the 184 tracts of land are changed from family residence (SF-3) district, family residence-historic (SF-3-H) combining district, single family residence small lot (SF-4A) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, multifamily residence high density (MF-5) district,

limited office (LO) district, neighborhood commercial (LR) district, neighborhood commercial-conditional overlay (LR-CO) combining district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, and commercial-liquor sales (CS-1) district, to single family residence-conditional overlay-neighborhood plan (SF-2-CO-NP) combining district, family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district, family residence-historic-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district, single family residence small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district, multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general office-mixed use-neighborhood plan (GO-MU-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below:

| TRACT | ADDRESS | FROM | TO |
|-------|---|-------|-------------|
| 501 | 2803, 2819, 2821, 2827 SAN JACINTO BLVD | LR-CO | LR-MU-CO-NP |
| 503 | 505, 507, 509 RATHERVUE PL | SF-3 | MF-4-CO-NP |
| 503A | 601, 605 RATHERVUE PL | SF-3 | MF-4-CO-NP |
| 503B | 607, 609 RATHERVUE PL | SF-3 | GO-MU-CO-NP |
| 504 | 501 BELLEVUE PL | LO | LO-MU-NP |

| TRACT | ADDRESS | FROM | TO |
|-------|--|--------------------|------------------------|
| 505 | 716 E DEAN KEETON ST; 3013 HARRIS PARK AVE | SF-3 | P-NP |
| 506 | 706 E DEAN KEETON ST | SF-3 | MF-3-NP |
| 507 | 2900, 2902 MEDICAL ARTS ST | LR | LR-MU-CO-NP |
| 507A | 2912 MEDICAL ARTS ST | LR | LR-MU-CO-NP |
| 508 | 2915 HAMPTON RD | LO | SF-3-CO-NP |
| 508A | WEST 115' OF 2910 MEDICAL ARTS ST | MF-3 | MF-3-CO-NP |
| 509 | 3000, 3004 MEDICAL ARTS | LO | LO-MU-CO-NP |
| 510 | 814 E 31ST ST; 3100 RED RIVER ST | LO | LO-MU-CO-NP |
| 511 | 3110 MEDICAL ARTS ST | GO | GO-MU-CO-NP |
| 512 | 805, 811 E 32ND ST | LO | LO-MU-CO-NP |
| 513 | 2901, 2911, 2915, 3001 MEDICAL ARTS ST | MF-3, MF-5, LO, CS | GR-MU-CO-NP |
| 514 | 0 RED RIVER ST (COMMON AREA LESS 11 SQ FT MEDICAL ARTS SQUARE PLUS 1/2 VAC STREET) | MF-5 | GR-MU-CO-NP |
| 514A | 920 E DEAN KEETON ST | GO | GR-MU-NP |
| 515 | 926 E DEAN KEETON ST | GO | GR-MU-CO-NP/MF-6-CO-NP |
| 516 | 924 E DEAN KEETON ST | GO | GR-MU-CO-NP/MF-6-CO-NP |
| 517 | 2900 SWISHER ST | LO | GR-MU-NP |
| 518 | 0 COMANCHE ST (N .265 ACR OF TRT-1 OLT 23 DIVISION C) | GO | GR-MU-NP |
| 519 | 2703, 2901 SWISHER ST | SF-3, MF-5, GO | GR-MU-NP |
| 520 | 2706, 2800, 2900, 2908 COLE ST | SF-3, GO | GR-MU-NP |
| 520A | 2804, 2900, 2908 N I-35 SV RD SB; 0 DEAN KEETON ST E (LOT 10 * LESS SE TRI PLUS PT OF ADJ VAC ALLEY & NW TRI OF LOT 11 BLK 1 OLT 23 DIV C FELLMAN HEIGHTS) | CS | CS-MU-NP |
| 521 | 918, 924, 926, 1000, 1004 E 32ND ST | GO | GO-MU-NP |
| 522 | 3203, 3205, 3211 RED RIVER ST | CS | CS-MU-CO-NP |
| 523 | 812 E 32ND ST | LO | LO-MU-CO-NP |
| 524 | 3200 RED RIVER ST | GR-CO | GR-MU-CO-NP |
| 525 | 3208 RED RIVER ST | GO | GO-MU-CO-NP |
| 526 | 3212 RED RIVER ST | GO | GO-MU-CO-NP |
| 526A | 3304 RED RIVER ST | MF-2 | MF-3-NP |
| 527 | 3310 RED RIVER ST | LO | LO-MU-CO-NP |
| 527A | 3308 HAMPTON RD; 0 HARRIS AVE (LOT 17 * & 1.06ACR OF LOT 18 OLT 8-9 DIV C BEAU SITE) | SF-3 | P-NP |
| 528 | 906 KEITH LN | GO | GO-MU-NP |
| 529 | 3501 RED RIVER ST | MF-4 | MF-4-CO-NP |
| 530 | 1000, 1002, 1004 CONCORDIA AVE | LO | LO-MU-NP |

| TRACT | ADDRESS | FROM | TO |
|-------|---|----------------|-------------|
| 531 | 1009, 1011 E 38TH ST, 3503, 3505, 3507, 3701, 3703 HARMON AVE; 3500, 3502, 3506, 3700, 3702, 3704 N I-35 SVC RD SB | CS | CS-MU-NP |
| 532 | 1014 E 38TH ST; 1015 E 38TH 1/2 ST | CS | CS-MU-CO-NP |
| 532A | 1016 E 38TH ST; 1017 E 38TH 1/2 ST; 3800, 3808, 3810 N IH-35 SVC RD SB | CS | CS-MU-NP |
| 533 | 1013 E 38TH 1/2 ST | LO | LO-MU-NP |
| 534 | 1012 E 38TH 1/2 ST | LO | LO-MU-NP |
| 535 | 1016 E 38TH 1/2 ST | CS | CS-MU-CO-NP |
| 535A | 3828 N IH-35 SVC RD SB | CS | CS-MU-NP |
| 536 | 1006 E 39TH ST | SF-3 | LO-MU-CO-NP |
| 536A | 1008 E 39TH ST (N 100 28 FT OF S 207.2 FT OF E 52.89 FT OF LOT 1 BLK 9 OLT 20-21 DIV C PLAINVIEW HEIGHTS E 39TH ST) | SF-3 | LO-MU-CO-NP |
| 536B | 1008 (S 100 29 FT OF E 52.89 FT OF LOT 1 BLK 9 OLT 20-21 DIV C PLAINVIEW HEIGHTS E 39TH ST) | SF-3 | LO-MU-CO-NP |
| 537 | 1019 E 39TH ST; 1009 E 40TH ST | GO | GO-MU-NP |
| 537A | 1015, 1017 E 40TH ST, 3900, 3906 N IH-35 SVC RD SB | CS | CS-MU-NP |
| 538 | 1005, 1007 E 40TH ST | LO | LO-MU-NP |
| 539 | 930, 1000, 1002, 1004, 1006, 1008, 1010 E 40TH ST | LO | LO-MU-NP |
| 540 | 1033 E 41ST ST, 4000 N IH-35 SVC RD SB | CS | CS-MU-NP |
| 540A | 1025 E 43RD ST | CS-CO | CS-MU-CO-NP |
| 541 | 905, 907, 909, 913, 915, 923, 925, 927, 931, 1007, 1013, 1017, 1021 E 41ST ST | GR | GR-MU-CO-NP |
| 541A | 4007-4011 RED RIVER ST | GR-CO | GR-MU-CO-NP |
| 542 | 4003, 4005 RED RIVER ST, 902, 910, 912, 918, 920, 924, 928 E 40TH ST | SF-3, MF-3, LO | MF-3-NP |
| 543 | 1000 E 41ST ST (EXCEPT 2,500 SQ FT OF OUTLOT 19, ORIGINAL CITY OF AUSTIN, TWIN LIQUORS SITE) | GR, CS | CS-CO-NP |
| 543A | 1000 E 41ST ST--2,500 SQ FT OF OUTLOT 19, ORIGINAL CITY OF AUSTIN, TWIN LIQUORS SITE AS SHOWN ON EXHIBIT C) | CS-1 | CS-1-CO-NP |
| 546 | 906 ELLINGSON; 4425 RED RIVER | LR | LR-MU-NP |
| 547 | 4400 RED RIVER ST | LO | LO-MU-NP |
| 548 | 4210, 4306 RED RIVER ST | LO | LO-MU-NP |
| 549 | 811 E 41ST ST | SF-3 | P-NP |
| 549A | 811 E 41ST ST | SF-3 | P-NP |
| 550 | 4003 DUVAL | MF-4 | LR-MU-CO-NP |
| 551 | 506 E 40TH ST | MF-4 | MF-2-CO-NP |
| 557 | 500 PARK BLVD | LR | LR-MU-CO-NP |
| 559 | 4215 DUVAL ST | CS | CS-CO-NP |
| 580 | 503 E 43RD ST | CS | MF-2-NP |
| 661 | 4301 DUVAL ST | CS | CS-CO-NP |
| 662 | 4305 DUVAL | MF-4 | MF-4-CO-NP |
| 662A | 4303, 4305 DUVAL ST | CS | CS-MU-CO-NP |
| 663 | 4409 DUVAL ST | CS | CS-MU-CO-NP |
| 2001 | 507, 509, 511 BELLEVUE PL | SF-3 | SF-3-CO-NP |

| TRACT | ADDRESS | FROM | TO |
|-------|---|------------|--------------|
| 2002 | 601, 603, 605 BELLEVUE PL | SF-3 | SF-3-CO-NP |
| 2003 | 607, 609 BELLEVUE PL | SF-3 | SF-3-CO-NP |
| 2004 | 504 BELLEVUE PL | SF-3 | SF-3-CO-NP |
| 2004A | 506 BELLEVUE PL | SF-3-H | SF-3-H-CO-NP |
| 2004B | 508 BELLEVUE PL | SF-3 | SF-3-CO-NP |
| 2005 | 604, 606, 608, 610 BELLEVUE PL, 3006 HARRIS PARK AVE; 611 RATHERVUE PL | SF-3 | SF-3-CO-NP |
| 2005A | 600 BELLEVUE PL | SF-3-H | SF-3-H-CO-NP |
| 2006 | 3102, 3104, 3106 HARRIS PARK AVE, 610 RATHERVUE PL | SF-3 | SF-3-CO-NP |
| 2007 | 3110 HARRIS PARK AVE | SF-3-H | SF-3-H-CO-NP |
| 2008 | 806, 808, 810, 812, 814, 816 E 31ST ST; 703, 705, 707, 709, 711, 713, 715, 717, 719, 725, 801, 803 E 32ND ST; 3103, 3103, 3111 HARRIS PARK AVE; 702, 706, 708, 712, 716, 718, 720, 722, 724 SPARKS AVE | SF-3 | SF-3-CO-NP |
| 2009 | 701, 705, 707, 709 SPARKS AVE | SF-3 | SF-3-CO-NP |
| 2010 | 714 E DEAN KEETON ST | SF-3 | SF-3-CO-NP |
| 2011 | 802, 804, 806 E DEAN KEETON ST, 805, 807, 809 LEONARD ST | SF-3 | SF-3-CO-NP |
| 2012 | 807, 809 E 30TH ST; 2908, 2914 BEANNA ST; 800, 802, 804, 808 LEONARD ST | SF-3 | SF-3-CO-NP |
| 2013 | 817 E 30TH ST, 2903, 2905, 2907, 2909, 2911, 2913 2915 BEANNA ST; 810 E DEAN KEETON ST, 2900, 2902, 2904, 2910, 2914 HAMPTON RD | SF-3 | SF-3-CO-NP |
| 2014 | 806, 808, 810, 812, 814, 818, 820, 822, 824 E 30TH ST; 807, 809, 811, 813, 815, 817, 819 E 31ST ST; 721, 723 SPARKS AVE | SF-3 | SF-3-CO-NP |
| 2015 | 900, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 923 E 37TH ST, 901, 903, 905, 907, 909, 913, 915, 1001, 1003, 1005, 1007 E 38TH ST; 3504, 3506, 3700, 3702, 3704, 3708, 3708, 3710 HARMON AVE, 3511 RED RIVER ST | SF-3 | SF-3-CO-NP |
| 2016 | 904, 906, 908, 910, 912, 1000, 1002, 1004, 1006, 1008, 1010, 1012 E 38TH ST; 909, 913, 915, 917, 1001, 1005, 1007, 1009 E 38TH 1/2 ST; 3801, 3803, 3805 RED RIVER ST | SF-3 | SF-3-CO-NP |
| 2017 | 1011 E 38TH 1/2 ST | SF-4A | SF-4A-CO-NP |
| 2018 | 906, 908, 910, 912, 914, 916, 1000, 1002, 1004, 1006, 1008, 1010 E 38TH 1/2 ST; 907, 911, 913, 915, 917, 919, 921, 923, 925, 1001, 1003, 1005, 1007 E 39TH ST; 3809, 3813, 3817 RED RIVER ST | SF-3 | SF-3-CO-NP |
| 2019 | 907 E 40TH ST; 3900, 3902, 3904, 3906, 3908, 3912, 3914 BECKER AVE; 3901, 3903, 3905, 3907, 3909 RED RIVER ST | SF-3, MF-3 | SF-3-CO-NP |
| 2020 | 912, 914, 916 E 39TH ST; 917, 919, 921 E 40TH ST; 3901, 3903, 3905, 3907, 3909, 3911, 3913, 3915 BECKER AVE; 3902, 3906, 3908, 3910, 3912, 3914 WILLBERT RD | SF-3 | SF-3-CO-NP |
| 2021 | 1004 E 39TH ST; 3901, 3905, 3907, 3909, 3911, 3913, 3915 WILLBERT RD | SF-3 | SF-3-CO-NP |
| 2022 | 903, 905, 907, 909, 911, 1001, 1003, 1005, 1007, 1009 E 43RD ST, 4211, 4213 RED RIVER ST | SF-3, GR | SF-3-CO-NP |
| 2023 | 1011, 1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027, 1029, 1031, 1033, 1035, 1037, 1039 E 43RD ST | SF-3 | SF-3-CO-NP |

| TRACT | ADDRESS | FROM | TO |
|-------|--|----------------|--------------|
| 2024 | 902, 904, 906, 908, 1000, 1002, 1004, 1006, 1008 E 43RD ST, 905, 907, 909, 911, 1001, 1003, 1005, 1007, 1009, 1011 E 44TH ST, 4301, 4305 RED RIVER ST | SF-3 | SF-3-CO-NP |
| 2025 | 1010, 1012, 1014, 1016, 1018, 1020 E 43RD ST; 1013, 1015, 1017, 1019, 1021, 1023, 1025 E 44TH ST; 4302 HARMON AVE | SF-3 | SF-3-CO-NP |
| 2026 | 1026, 1028, 1030, 1032, 1036, 1038 E 43RD ST; 1029, 1031, 1033, 1035 E 44TH ST | SF-3 | SF-3-CO-NP |
| 2027 | 904, 906, 908, 1002, 1004, 1006, 1008, 1010 E 44TH ST; 905, 911, 1001, 1005, 1011 ELLINGSON LN; 4401, 4403, 4405 RED RIVER ST | SF-3, LO | SF-3-CO-NP |
| 2028 | 1012, 1014, 1016, 1018, 1020, 1022, 1024, 1026, 1028, 1030, 1032, 1034 E 44TH ST; 1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027, 1029, 1031 ELLINGSON LN | SF-3 | SF-3-CO-NP |
| 2029 | 1001, 1003, 1005, 1007, 1009, 1011 E 45TH ST; 4406 BENNETT AVE, 1000, 1002, 1004, 1006, 1008, 1010 ELLINGSON LN | SF-3 | SF-3-CO-NP |
| 2030 | 1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027 E 45TH ST; 4407 BENNETT AVE; 1014, 1016, 1018, 1020, 1022, 1024, 1026, 1028 ELLINGSON LN | SF-3 | SF-3-CO-NP |
| 2031 | 4414, 4418, 4420, 4426 RED RIVER ST | SF-3 | SF-3-CO-NP |
| 2032 | 801, 807, 809, 811 E 45 TH ST; 4413 CASWELL AVE | SF-3 | SF-3-CO-NP |
| 2033 | 4409 CASWELL AVE, 806, 808, 810, 812 KEASBEY ST | SF-3 | SF-3-CO-NP |
| 2034 | 815 KEASBEY ST, 4406, 4408, 4410, 4412 RED RIVER ST | SF-3 | SF-3-CO-NP |
| 2035 | 4405 CASWELL AVE; 801, 805, 807, 809, 811, 813 KEASBEY ST | SF-3 | SF-3-CO-NP |
| 2036 | 800, 802, 804, 806, 812 E 44TH ST | SF-3 | SF-3-CO-NP |
| 2037 | 801, 803, 805, 807, 809 E 44TH ST; 4308, 4310, 4312 RED RIVER ST | SF-3 | SF-3-CO-NP |
| 2038 | 0 CASWELL AVE (BLK 22 * 59 72AV X 139.78AV DIVISION C OLT 15 RIDGETOP ANNEX), 0 CASWELL AVE (88 4 X 68.58FT BLK 22 OLT 14 DIVISION C); 4205, 4211, 4301, 4305 CASWELL AVE; 800, 802, 804, 806, 808, 810, 812 PARK BLVD | SF-3, LO | SF-3-CO-NP |
| 2039 | 701, 703, 705, 709, 711 E 45TH ST; 4412 CASWELL AVE | SF-3 | SF-3-CO-NP |
| 2040 | 4408 CASWELL AVE; 700, 702, 704, 706, 708, 712 KEASBEY ST | SF-3 | SF-3-CO-NP |
| 2041 | 4404, 4406 CASWELL AVE; 701, 703, 705, 709 KEASBEY ST | SF-3 | SF-3-CO-NP |
| 2042 | 706 E 44TH ST | SF-3-H | SF-3-H-CO-NP |
| 2043 | 708, 712 E 44TH ST | SF-3 | SF-3-CO-NP |
| 2044 | 705, 707, 709 E 44TH ST, 4308 CASWELL AVE; 4307 EILERS AVE | SF-3 | SF-3-CO-NP |
| 2045 | 702, 706 E 43RD ST; 4300, 4304, 4308 CASWELL AVE; 4307 EILERS AVE | SF-3 | SF-3-CO-NP |
| 2046 | 602, 606, 610, 612 E 43RD ST; 4308, 4310, 4400, 4402, 4404, 4406, 4408 EILERS AVE | SF-3 | SF-3-CO-NP |
| 2047 | 602, 606 E 43RD ST | SF-3-H | SF-3-H-CO-NP |
| 2048 | 605 E 45TH ST; 4315, 4401, 4413, 4415, 4417, 4419 BARROW AVE | SF-3 | SF-3-CO-NP |
| 2049 | 4410, 4412, 4414, 4416, 4418 BARROW AVE | SF-3, MF-2 | SF-3-CO-NP |
| 2050 | 4314, 4316, 4400, 4403, 4403, 4404, 4313, 4317 BARROW AVE; 4401, 4403, 4405, 4407 DUVAL ST | SF-3, MF-2, LR | SF-3-CO-NP |
| 2051 | 505, 509, 511 E 43RD ST | SF-3 | SF-3-CO-NP |
| 2052 | 502, 504, 506, 508, 510 PARK BLVD | SF-3, MF-4 | SF-3-CO-NP |

| TRACT | ADDRESS | FROM | TO |
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| 2053 | 601, 603, 605, 607, 609, 611, 615, 617, 701, 705, 707, 711, 713, 715 E 43RD ST; 600, 602, 604, 606, 610, 700, 704, 706, 716, 720, 722 PARK BLVD | SF-3 | SF-3-CO-NP |
| 2054 | 4205 DUVAL ST; 501, 503, 505, 507 PARK BLVD | SF-3, MF-4 | SF-3-CO-NP |
| 2055 | 500, 502, 504, 506, 508, 512 E 42ND ST; 4203 DUVAL ST | SF-3, MF-4 | SF-3-CO-NP |
| 2056 | 505, 507, 509, 511 E 42 ND ST; 4105 DUVAL ST | SF-3, MF-4 | SF-3-CO-NP |
| 2057 | 500, 502, 506, 510, 512 E 41ST ST | SF-3, MF-4 | SF-3-CO-NP |
| 2058 | 700, 702, 710 E 41ST ST; 0 E 42ND ST (135 22 X 151.7FT AV & 8 X 14' OLT 14 DIVISION C); 600, 602, 604, 606, 608, 610 E 42ND ST, 4203 BARROW ST; 601, 603, 605, 607, 609, 611, 703, 709, 711, 713, 719, 721, 723, 801, 803, 805, 807, 809, 811 PARK BLVD; 4107, 4109, 4111 PECK AVE | SF-3 | SF-3-CO-NP |
| 2059 | 801 PARK BLVD | SF-3-H | SF-3-H-CO-NP |
| 2060 | 601, 603, 605, 607 E 42 ND ST; 4104 PECK AVE | SF-3 | SF-3-CO-NP |
| 2061 | 600, 602, 604, 606, 608 E 41ST ST; 4102 PECK AVE | SF-3 | SF-3-CO-NP |
| 2062 | 501, 503, 507, 509, 511 E 41ST ST; 4007 DUVAL ST; 4000 PECK AVE | SF-3, MF-4 | SF-3-CO-NP |
| 2063 | 510, 512, 514, 516, 518 E 40TH ST | SF-3 | SF-3-CO-NP |
| 2064 | 505, 509, 511, 513, 515, 517 E 40TH ST; 3911, 3913 DUVAL ST | SF-3 | SF-3-CO-NP |
| 2065 | 506, 508, 510, 512, 514 E 39TH ST; 3901, 3903, 3905 DUVAL ST; 3902 PECK AVE | SF-3 | SF-3-CO-NP |
| 2066 | 505, 507, 511, 515 E 38 TH ST; 3817, 3819, 3823 DUVAL ST | SF-3 | SF-3-CO-NP |
| 2067 | 508, 508, 512, 514 E 38 TH 1/2 ST; 3811, 3813, 3815 DUVAL ST | SF-3 | SF-3-CO-NP |
| 2068 | 507, 509, 511, 515, 517 E 38TH 1/2 ST; 3807 DUVAL ST; 3806 PECK AVE | SF-3 | SF-3-CO-NP |
| 2069 | 506, 508, 510, 512, 514 E 38TH ST; 3801, 3803, 3805 DUVAL ST | SF-3 | SF-3-CO-NP |
| 2070 | 503, 505, 509 E 38TH ST; 3701, 3703, 3705, 3709 DUVAL ST; 502, 506, 508 TEXAS AVE | SF-3 | SF-3-CO-NP |
| 2071 | 501, 505, 507, 509, 511 TEXAS AVE | SF-3 | SF-3-CO-NP |
| 2072 | 500, 506, 508 CAROLYN AVE; 3407 DUVAL ST | SF-3 | SF-3-CO-NP |
| 2073 | 503, 505, 509 CAROLYN AVE; 3409 DUVAL ST | SF-3 | SF-3-CO-NP |
| 2074 | 3405 DUVAL ST; 504, 506, 508 HARRIS AVE | SF-3 | SF-3-CO-NP |
| 2075 | 601, 603, 605, 607, 609 E 38TH ST | SF-3 | SF-3-CO-NP |
| 2076 | 3705 LIBERTY ST; 602, 604, 606, 608 TEXAS AVE | SF-3 | SF-3-CO-NP |
| 2077 | 601, 603, 605, 607, 609 TEXAS AVE | SF-3 | SF-3-CO-NP |
| 2078 | 600, 602, 604, 608 CAROLYN AVE; 3502 MONTROSE | SF-3 | SF-3-CO-NP |
| 2079 | 601, 603 CAROLYN AVE; 3408 MONTROSE | SF-3 | SF-3-CO-NP |
| 2080 | 600, 602, 604, 606 HARRIS AVE; 3400 MONTROSE ST | SF-3 | SF-3-CO-NP |
| 2081 | 3707 MONTROSE ST; 701, 703, 705 E 38TH ST | SF-3 | SF-3-CO-NP |
| 2082 | 700, 702, 704, 706, 708 TEXAS AVE | SF-3 | SF-3-CO-NP |
| 2083 | 701, 703, 705, 707, 709 TEXAS AVE; 3506 WOODROW ST | SF-3 | SF-3-CO-NP |
| 2084 | 700, 702, 704, 706 CAROLYN AVE; | SF-3 | SF-3-CO-NP |
| 2085 | 701, 703, 705, 709 CAROLYN AVE | SF-3 | SF-3-CO-NP |
| 2086 | 700, 702, 704, 706, 708 HARRIS AVE | SF-3 | SF-3-CO-NP |
| 2087 | 3507, 3509 WOODROW ST | SF-3 | SF-3-CO-NP |
| 2087A | 3501 WOODROW ST | SF-3 | SF-3-CO-NP |
| 2088 | 713, 715, 719 CAROLYN AVE | SF-3 | SF-3-CO-NP |
| 2088A | 712, 714, 716, 718 HARRIS AVE | SF-3 | SF-3-CO-NP |
| 2089 | 3210, 3221, 3301 3305 DUVAL ST; 507, 509, 511 HARRIS AVE; 3302, 3304, 3306, 3308 LIBERTY ST | SF-3 | SF-3-CO-NP |

| TRACT | ADDRESS | FROM | TO |
|-------|--|--------|--------------|
| 2090 | 3215 DUVAL ST | SF-3-H | SF-3-H-CO-NP |
| 2091 | 500, 502 E 32ND ST; 3209, 3215 DUVAL ST | SF-3 | SF-3-CO-NP |
| 2092 | 500 E 32ND ST | SF-3-H | SF-3-H-CO-NP |
| 2093 | 600 E 32ND ST, 601, 603 HARRIS AVE; 3209, 3211, 3213, 3215, 3217, 3219, 3301, 3303, 3305, 3307, 3309 LIBERTY ST | SF-3 | SF-3-CO-NP |
| 2094 | 3200, 3202, 3204, 3206, 3208, 3210, 3212, 3214, 3216, 3218, 3300, 3302, 3304, 3306, 3308, 3310, 3312 HARRIS PARK AVE | SF-3 | SF-3-CO-NP |
| 2095 | 3308 HAMPTON RD; 701, 703, 705, 707, 709, 711, 713, 715, 717, 719 HARRIS AVE; 3303, 3305, 3309 HARRIS PARK AVE; 700, 702, 704, 706, 708, 710, 712, 714, 716, 720 LONDON LN | SF-3 | SF-3-CO-NP |
| 2095A | 701, 703, 705, 707, 709, 711, 713, 715, 717, 719 LONDON LN; 3201, 3203, 3205, 3207, 3209, 3211, 3213 HARRIS PARK AVE; 708 E 32ND ST; 3200, 3202, 3203, 3204, 3206, 3207, 3208, 3210, 3212 FAIRFAX WALK; 714, 720, 722, 800 E 32ND ST; 804 E 32ND 1/2 ST, 3202, 3204, 3206, 3208 BEANNA ST; 3208, 3210 HAMPTON RD | SF-3 | SF-3-CO-NP |
| 2095B | 3215 FAIRFAX WALK | SF-3-H | SF-3-H-CO-NP |
| 2097 | 806, 808 E 32ND ST; 803, 805, 807 E 32ND 1/2 ST; 3201 BEANNA ST | SF-3 | SF-3-CO-NP |
| 2098 | 816 E 32ND ST; 3207, 3209, 3211, 3213, 3215, 3217, 3303, 3305, 3307, 3309, 3311 HAMPTON RD | SF-3 | SF-3-CO-NP |
| 2099 | 3410, 3500, 3508, 3510, 3512, 3700, 3704, 3710, 3712 GREENWAY; 805 E 35TH ST; 3408 HAMPTON RD | SF-3 | SF-2-CO-NP |
| 2100 | 3400, 3404 HAMPTON RD | SF-3 | SF-2-CO-NP |
| 2100A | 802, 804, 808 HARRIS AVE | SF-3 | SF-3-CO-NP |
| 2101 | 817 E 37TH ST; 3501, 3505, 3509 GREENWAY; 3500, 3504, 3700 HAMPTON RD | SF-3 | SF-2-CO-NP |
| 2102 | 3711 GREENWAY; 818, 822, 828, 832, 834, 836, 838, 840 E 37TH ST; 3701 HAMPTON RD; 809, 811, 817, 819, 823, 825, 831, 833, 837, 841, 843 E 38TH ST | SF-3 | SF-2-CO-NP |
| 2103 | 829, 841 E 37TH ST; 3501, 3509 HAMPTON RD; 3408, 3412, 3504, 3500, 3506, 3508, 3510, 3512 RED RIVER ST | SF-3 | SF-2-CO-NP |
| 2104 | 818, 820, 822, 824, 826, 828, 830 HARRIS AVE | SF-3 | SF-2-CO-NP |
| 2105 | 3313 HAMPTON RD; 819, 821, 823, 825, 827 HARRIS AVE | SF-3 | SF-2-CO-NP |

PART 3. The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

PART 4. The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP:

1. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
2. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.
3. Front or side yard parking restrictions apply as set forth in Section 25-2-1406 of the Code.

PART 5. The following tracts may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

501, 504, 507, 507A, 509, 510, 512, 513, 514, 514A, 515, 516, 517, 518, 519, 520, 522, 523, 524, 525, 526, 527, 536, 536A, 536B, 541, 541A, 543, 543A, 546-548, 550, 557, 559, 561, 562A, and 563.

PART 6. Tracts 543 and 543A may be developed as a neighborhood urban center special use as set forth in Section 25-2-1422 through 1424.

PART 7. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following conditions apply to Tracts 536, 536B, 551, 2001 through 2098, 2100, 2100A, 2104, and 2105.
 - A. The maximum height of a building or structure is 30 feet from ground level.
 - B. A building or structure may not exceed a height of two stories.
2. The following conditions apply to Tracts 2099, 2101, 2102 and 2103.
 - A. Except as provided in Subsection C, the maximum height of a building or structure is 30 feet from ground level.
 - B. A building or structure subject to Subsection A may not exceed a height of two stories.

- C. If the principal structure or building is constructed 15 or more feet from all property lines, then the maximum height of a building structure is 35 feet from ground level.
3. The maximum height of a building or structure on Tracts 508A and 512 is 35 feet from ground level.
 4. The following conditions apply to Tracts 503, 503A and 503B.
 - A. The maximum height of a building or structure is 35 feet from ground level.
 - B. The maximum building coverage is 50 percent.
 - C. The maximum impervious cover is 60 percent.
 - D. The maximum number of residential units permitted is 17 units per acre.
 5. The maximum height of a building or structure is 40 feet from ground level on Tracts 511, 526, 529, 559, 560, 561, 562, 562A, and 563.
 6. The maximum height of a building or structure is 50 feet from ground level on Tracts 513, 514, 541, and 541A.
 7. For Tracts 532 and 535, the maximum width of a driveway accessing Harmon Avenue is 30 feet.
 8. The following conditions apply to Tract 536.
 - A. The maximum impervious cover is 50 percent.
 - B. The maximum floor area ratio is 0.33 to 1.0.
 9. The maximum floor area ratio is 0.57 to 1.0 for Tract 536A and 536B.
 10. A site plan or building permit for Tract 540A or Tract 541A may not be approved, released, or issued, if the completed development or uses of Tract 540A or Tract 541A, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

11. The maximum building coverage for Tract 551 is 40 percent.
12. This section applies to the front yard setback of a single family residential structure in Tracts 2099, 2101, 2102, and 2103.
 - A. Except as otherwise provided in Subsection B, for an interior lot, if the front yard setbacks of existing adjacent principal single family structures exceed 25 feet, then the front yard setback on the subject property may not be more than five feet different from the average of the front yard setbacks of the principal single family structures on the same side of the street on a block.
 - B. If the principal single family structure has been removed from the subject property within the preceding 12 months, the minimum front yard setback for new construction on the subject property is the setback of the single family structure previously located on the site.
 - C. For a corner lot, the following applies:
 1. If the lot on the side of the corner lot is legally developed, the minimum front yard setback of the corner lot is equal to the setback of the principal structure on the side lot.
 2. If the lot on the side of the corner lot is vacant, the minimum front yard setback of the corner lot is equal to the average setbacks of the principal structures on the other lots in the block on the same side of the street.
13. The width of a driveway may not exceed 18 feet for Tracts 2099, 2101, 2102 and 2103.
14. The following conditions apply to Tracts 2100, 2100A, 2104 and 2105.
 - A. The maximum width of a front yard driveway is 12 feet.
 - B. The maximum width of a street side yard driveway is 18 feet.
 - C. The front yard setback for a parking structure is 60 feet.
 - D. A circular driveway is not permitted on a lot that has less than 100 feet of front street yard width

15. Financial services use is a conditional use of Tracts 501, 507, 507A and 546.

16. The following uses are prohibited uses of Tracts 501, 507, 507A, 546, 550 and 557:

| | |
|---|-----------------|
| Residential treatment | Service station |
| Medical offices (exceeding 5000 sq.ft. gross floor area) | |

17. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 501, 507, 507A, 513, 514, 541, 541A, 546, 550, 557, 559, 561, 562A, and 563.

18. Drive-in service is a conditional use as an accessory use to commercial uses of Tracts 522, 532, 535, 540A, 543, and 543A.

19. The following uses are conditional uses of Tract 513 and 514:

| | |
|-------------------------------|----------------------|
| Commercial off-street parking | Indoor entertainment |
| Hotel-motel | |

20. The following uses are prohibited uses of Tract 513 and 514:

| | |
|--|-------------------------------|
| Automotive rentals | Exterminating services |
| Automotive repair services | Funeral services |
| Automotive sales | Indoor sports and recreation |
| Automotive washing (of any type) | Outdoor entertainment |
| Bed & breakfast residential (Group 1) | Outdoor sports and recreation |
| Bed & breakfast residential (Group 2) | Pawn shop services |
| Drop-off recycling collection facility | Service station |
| Research services | Residential treatment |

21. The following uses are conditional uses of Tract 522:

| | |
|--------------------------------|----------------------------|
| Commercial blood plasma center | Laundry services |
| Commercial off-street parking | Monument retail sales |
| Hotel-motel | Off-site accessory parking |
| Indoor entertainment | Research services |
| Plant nursery | |

22. The following uses are prohibited uses of Tract 522:

| | |
|--|--------------------------------------|
| Agricultural sales and services | Equipment sales |
| Automotive rentals | Exterminating services |
| Automotive repair services | Funeral services |
| Automotive washing (of any type) | Indoor sports and recreation |
| Bed & breakfast residential (Group 1) | Kennels |
| Bed & breakfast residential (Group 2) | Limited warehousing and distribution |
| Building maintenance services | Maintenance and service facilities |
| Campground | Outdoor entertainment |
| Construction sales and services | Outdoor sports and recreation |
| Convenience storage | Pawn shop services |
| Drop-off recycling collection facilities | Residential treatment |
| Electronic prototype assemble | Service station |
| Equipment repair services | Transportation terminal |
| Vehicle storage | |

23. Off-site accessory parking use and research services use are conditional uses of Tract 524.

24. The following uses are prohibited uses of Tract 524:

| | |
|--|------------------------------------|
| Automotive rentals | General retail sales (convenience) |
| Automotive repair services | General retail sales (general) |
| Automotive sales | Hotel-motel |
| Automotive washing (of any type) | Outdoor entertainment |
| Bed & breakfast residential (Group 1) | Outdoor sports and recreation |
| Bed & breakfast residential (Group 2) | Pawn shop services |
| Commercial off-street parking | Indoor entertainment |
| Consumer convenience services | Indoor sports and recreation |
| Drop-off recycling collection facility | Pet services |
| Exterminating services | Personal improvement services |
| Financial services | Residential treatment |
| Food sales | Restaurant (general) |
| Funeral services | Restaurant (limited) |
| Theater | Service station |
| Consumer repair services | |

25. The following uses are conditional uses of Tracts 532 and 535:

| | |
|--------------------------------|----------------------------------|
| Automotive repair services | Automotive washing (of any type) |
| Building maintenance services | Funeral services |
| Commercial blood plasma center | Hotel-motel |
| Commercial off-street parking | Outdoor sports and recreation |
| Custom manufacturing | Research services |
| Residential treatment | |

26. The following uses are prohibited uses of Tracts 532 and 535:

| | |
|--|--------------------------------------|
| Agricultural sales and services | Kennels |
| Automotive rentals | Limited warehousing and distribution |
| Automotive sales | Maintenance and service facilities |
| Campground | Monument retail sales |
| Construction sales and services | Outdoor entertainment |
| Convenience storage | Pawn shop services |
| Drop-off recycling collection facilities | Service station |
| Equipment repair services | Vehicle storage |
| Equipment sales | |

27. The following uses are conditional uses of Tracts 540A and 543:

| | |
|--|-------------------------------|
| Automotive rentals | Exterminating services |
| Building maintenance services | Funeral services |
| Commercial blood plasma center | Hotel-motel |
| Commercial off-street parking | Monument retail sales |
| Custom manufacturing | Outdoor sports and recreation |
| Drop-off-recycling collection facilities | Research services |
| Residential treatment | |

28. The following uses are prohibited uses of Tracts 540A and 543:

| | |
|----------------------------------|--------------------------------------|
| Agricultural sales and services | Kennels |
| Automotive sales | Limited warehousing and distribution |
| Automotive washing (of any type) | Maintenance and services facilities |
| Campground | Outdoor entertainment |
| Construction sales and services | Pawn shop services |
| Convenience storage | Vehicle storage |

Electronic prototype assembly
Equipment sales

Equipment repair services

29. The following uses are conditional uses of Tracts 541 and 541A:

Automotive rentals
Automotive repair services
Commercial off-street parking
Exterminating services
Hotel-motel

Outdoor sports and recreation
Research services
Residential treatment
Funeral services

30. The following uses are prohibited uses of Tracts 541 and 541A:

Automotive sales
Automotive washing (of any type)

Outdoor entertainment
Pawn shop services

31. The following uses are conditional uses of Tract 543A:

Automotive rentals
Building maintenance services
Commercial blood plasma center
Commercial off-street parking
Custom manufacturing
Drop-off recycling collection facilities

Exterminating services
Funeral services
Hotel-motel
Outdoor sports and recreation
Research services
Residential treatment

32. The following uses are prohibited uses of Tract 543A:

Adult oriented businesses
Agricultural sales and services
Automotive sales
Automotive washing (of any type)
Campground
Kennels
Limited warehousing and distribution
Maintenance and services facilities

Construction sales and services
Convenience storage
Electronic prototype assemble
Equipment repair services
Equipment sales
Outdoor entertainment
Pawn shop services
Vehicle storage

33. Day care services (general) use is a conditional use of Tracts 503, 503A, and 551.

34. The following uses are prohibited uses of Tracts 551:

| | |
|---|---------------------------------|
| Bcd and breakfast residential (Group 2) | Multifamily residential |
| Condominium residential | Residential treatment |
| Congregate living | Retirement housing (large site) |
| Townhouse residential | |

35. The following uses are conditional uses of Tracts 559, 561, 562A, and 563:

| | |
|-------------------------------|-----------------------|
| Commercial off-street parking | Monument retail sales |
| Congregate living | Plant nursery |
| Hospital services (limited) | Services station |
| Laundry services | |

36. The following uses are prohibited uses of Tract 559, 561, 562A, and 563:

| | |
|--|---|
| Agricultural sales and services | Hospital services (general) |
| Automotive rentals | Exterminating services |
| Automotive repair services | Funeral services |
| Automotive sales | Indoor sports and recreation |
| Automotive washing (of any type) | Kennels |
| Building maintenance services | Limited warehousing and distribution |
| Business or trade school | Maintenance and service facilities |
| Campground | Outdoor entertainment |
| College and university facilities | Hotel-motel |
| Commercial blood plasma center | Indoor entertainment |
| Construction sales and services | Outdoor sports and recreation |
| Convenience storage | Pawn shop services |
| Drop-off recycling collection facilities | Residential treatment |
| Electronic prototype assemble | Research services |
| Equipment repair services | Vehicle storage |
| Equipment sales | Medical offices (exceeding 5000 sq. ft. |
| Business support services | gross floor area) |

37. The following uses are prohibited uses of Tracts 503 and 503A:

| | |
|-------------------------|-----------------------------|
| Congregate living | Convalescent services |
| Group residential | Hospital services (limited) |
| Multifamily residential | Residential treatment |

38. The following uses are conditional uses of Tract 503B:

| | |
|--------------------------------|--|
| Day care services (commercial) | Private primary educational facilities |
| Day care services (general) | Private secondary educational facilities |
| Local utility services | Safety services |

39. A college and university facilities use that exceeds 2,400 square feet gross floor area is a conditional use of Tract 503B.

40. The following uses are prohibited uses of Tract 503B:

| | |
|---|---|
| Business or trade school | Medical offices (exceeding 5000 sq. ft. gross floor area) |
| Business support services | Multifamily residential |
| Communication services | Off-site accessory parking |
| Congregate living | Personal services |
| Convalescent services | Professional office |
| Counseling services | Residential treatment |
| Group residential | Restaurant (limited) |
| Guidance services | Hospital services (limited) |
| Hospital services (general) | Software development |
| Medical offices (not exceeding 5000 sq. ft. gross floor area) | |

41. Except as otherwise provided in this ordinance, Tracts 515 and 516 may be developed and used according to the regulations under the following zoning districts

A. Community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district for an area measured from ground level to a height of 15 feet.

B. Multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district for an area measured from 15 feet above ground level to a height of 60 feet.

42. The following conditions apply to Tracts 515 and 516.

A. The maximum height of a building or structure is 60 feet from ground level.

B. The maximum building coverage is 70 percent.

- C. The maximum impervious cover is 80 percent.
- D. Vehicular access from the tracts to Red River Street and Dean Keeton Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 8. This ordinance takes effect on September 6, 2004.

PASSED AND APPROVED

_____ August 26, 2004 §
 §
 §

 Will Wynn
 Mayor

APPROVED: _____ **ATTEST:** _____
 David Allan Smith Shirley A. Brown
 City Attorney City Clerk